

REMARKS/ARGUMENTS

Claims 1-7 are pending in the application. All pending claims stand rejected. By the foregoing amendment, the applicants have amended claims 1-4. Support for the amendments is found in the specification as filed. In view of the foregoing amendments and following discussion, the applicants submit that all pending claims are in condition for allowance.

On page 2 of the Office Action, the Examiner rejected claims 1-7 under 35 U.S.C. § 103(a) as being unpatentable over Dunn et al. (Drugs and Aging, 2002; 19(2): 135-161) in view of Guess et al. (U.S. Pat. No. 6,054,455). The applicants respectfully traverse the rejection. The combination of the references does not result in the claimed invention. Dunn et al. discloses a treatment for chronic abacterial prostatitis with either tamsulosin or an NSAID. Guess et al. teaches a treatment for chronic abacterial prostatitis by a tachykinin receptor antagonist with either an alpha blocker or NSAID. The combination of the references results in a combination of a tachykinin receptor antagonist co-administered with either tamsulosin or an NSAID. Thus the presently claimed invention of the combination of both tamsulosin and an NSAID is not obvious over the references.

Furthermore, a reading of the references would not motivate a skilled artisan to incorporate an alpha blocker and an NSAID in a single composition, let alone specifically selecting tamsulosin and further combining it with meloxicam from the numerous available NSAIDs. Neither reference suggests or motivates a skilled artisan to select a combination of both tamsulosin and an NSAID with any expectation of success that such a combination would be suitable for the treatment of chronic abacterial prostatitis. In fact, both references specifically disclose a therapy of one or the other, clearly not contemplating or identifying a reason that would prompt a skilled artisan to combine the active ingredients as claimed in the present invention. Therefore, claims 1 and 7 are not obvious over the combination of the cited references and are thus allowable. Claims 2-6 which depend from claim 1 and recite further limitations are also not obvious and are thus allowable.

In view of the foregoing, the Applicants submit that the instant claims are in condition for allowance. Early and favorable action is earnestly solicited. In the event there are any fees due and owing in connection with this matter, please charge same to our Deposit Account No. 11-0223.

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Respectfully submitted,

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